

In Counties where no Treasurer is appointed, &c. such Charges shall be paid out of the public Treasury.

County Treasurer shall have been chosen, or in Case such Treasurer shall not have any Money in his Hands, to pay the Sum so ordered for conveying poor prisoners to Gaol, or for the Attendance of Witnesses, that then and in such Case the same shall be paid out of the Public Treasury of the Province.

The Defendant's Plea in an Action brought for any Thing done by Force of this Act.

V. *And be it further Enacted*, That if any Action of Trespass or other Suit shall happen to be attempted or brought against the Person or Persons for taking of any Distress, making of any Sale, or any other Act by Authority of this present Act, the Defendant or Defendants, in any such Action or Suit, shall and may either plead Guilty, or otherwise make Avowry, Cognizance or Justification, for the taking of the said Distress, making of Sale, or any other Act by Virtue of this Act, alledging in such Avowry, Cognizance, or Justification, that the said Distress, Sale, Trespass or other Thing whereof the Plaintiff or Plaintiffs complained, was done by Authority of this Act, and according to the Tenor, Purport, and Effect of this Act, without any expressing or Rehearsal of any other Matter of Circumstance contained in this present Act: To which Avowry, Cognizance, or Justification, the Plaintiff shall be admitted to reply, That the Defendant did take the said Distress, made the said Sale, or did any other Act or Trespass supposed in his Declaration, of his own Wrong, without any such Cause alledged by the said Defendant; whereupon the Issue in every such Action shall be joined to be tried by Verdict of Twelve Men, and not otherwise, accustomed in other Personal Actions; and upon the Trial of that Issue the whole Matter to be given on both Parties in Evidence, according to the very Truth of the same; and after such Issue tried for the Defendant, or Nonsuit of the Plaintiff after Appearance, the said Defendant to recover Treble Damages by Reason of his wrongful Vexation in that Behalf, with Costs also on that Part sustained, and that to be assessed by the same Jury, or Writ to enquire of the Damages, as the same shall require.

The Defendant shall recover Treble Damages, and Costs of Suit.

C A P III.

An ACT for empowering the Justices of the Peace for the County of *Halifax*, to hold a Court of Special Sessions of the Peace at *Onslow* in the said County, for the Towns of *Truro*, *Onslow*, and *Londonderry*.

Preamble.

HEREAS the Want of Roads and the Distance between *Halifax* or *Windsor*, and the Townships of *Truro*, *Onslow*, and *Londonderry*, makes the Attendance of Persons resident in the said Townships of *Truro*, *Onslow*, and *Londonderry*, at the General Sessions of the Peace, held at *Halifax* or at *Windsor*, very inconvenient; for remedy whereof, Be it Enacted by

by the Lieutenant Governor, Council, and Assembly, That there shall be held and kept within the Township of Onslow in the County of Halifax, in every Year, on the first Tuesday of February, and on the first Tuesday of August, a Special Court of General Sessions of the Peace; and any three or more of the Justices of the Peace for the County of Halifax, one whereof to be of the Quorum, shall and may hold the said Court; and such Court shall have, hold, use, exercise and enjoy all and singular the Powers, which are by Law already given and granted unto Courts of General Sessions of the Peace, so far as relates to all such Matters and Things as shall be cognizable by such Courts, and have arisen, or which may arise within the said Townships of Truro, Onslow, and Londonderry.

Special Sessions to be held at Onslow, for the Townships of Truro, Onslow, and Londonderry.

C A P. IV.

An Act relating to Searchers and Sealers of Leather.

B *E it enacted by the Lieutenant Governor, Council, and Assembly,* That no Tanner or other Person whatsoever, shall sell or expose to sale, any Leather tanned, curried or otherwise dressed or manufactured within this Province, or imported into the same (from any of the neighbouring Colonies) till the same has been viewed, stamped, and marked by the Officer for that Purpose to be appointed, on pain of forfeiting the Sum of Twenty Shillings for every Ox, Bull, Steer, or Cow Hide, and Five Shillings for every Calf Skin so sold or offered to be sold.

No Leather shall be sold or exposed to Sale, before it has been viewed and marked by the Surveyor.

II. *And be it further enacted,* That every Surveyor appointed and sworn according to Law, shall, from Time to Time, view all such Hides and Skins as aforesaid, and shall stamp and mark all such as he shall find to be sufficiently tanned, curried, or otherwise dressed or manufactured; and if any such Hides or Skins shall have been manufactured within this Province, the same shall be stamped and marked with the first Letter of the Name of the Town wherein they have been so manufactured, and such Surveyor shall be paid for his Trouble in viewing and marking such Hides and Skins, at the following Rates, *That is to say,* for every Ox, Bull, Steer or Cow Hide, three Pence, and for every Calf Skin one Penny; and every such Hide shall, at the Time of being so surveyed and marked, be weighed also in Presence of the Surveyor, and the weight thereof shall by him be marked on said Hide.

The Surveyor shall view all Hides and Skins, and mark such as are sufficiently tanned, &c

and if manufactured within the Province, the same shall be marked with the first Letter of the Name of the Town where manufactured.

III. *And be it also enacted,* That if any Person or Persons shall presume to counterfeit the Stamp or Mark by this Act required, and shall be thereof convicted before any Two of His Majesty's Justices of the Peace, he shall forfeit the Sum of Ten Pounds.

Penalty £10. for counterfeiting the Surveyor's Mark